

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RECEIVED

JAN 05 2004

MICHAEL W. DOBBING  
CLERK, U.S. DISTRICT COURT

Bernard Middleton

DOCKETED

JAN 06 2004

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

04C 0037

Warden of vs. I.C.C. Boyd Case No: \_\_\_\_\_  
City of Chicago Police Dept. (To be supplied by the Clerk of this Court)

STATE Police Dept.

Clayton Workcamp nurse

Det Patrick Sullivan

Det Anthony Borbely

Det. E. Farley

P.O. Anthony Flowers

P.O. Frank Casale

(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

JUDGE ZAGEL

MAGISTRATE JUDGE  
GERALDINE SOAT BROWN

CHECK ONE ONLY:

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331(a) U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

**I. Plaintiff(s):**

- A. Name: Bernard Middleton
- B. List all aliases: Buller Bernard, Russell Middleton
- C. Prisoner identification number: 20030027415
- D. Place of present confinement: Cook County Jail
- E. Address: 2850 So. California 7-26-Chgo, IL 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Det Patrick Sullivan  
Title: Detective City of Chicago  
Place of Employment: 5101 S. Wentworth Chgo IL 60639
- B. Defendant: Det. Anthony Barbely  
Title: Detective City of Chicago  
Place of Employment: 5101 S. Wentworth Chgo, IL 60639
- C. Defendant: Det Edward Farley  
Title: Detective City of Chicago  
Place of Employment: 5101 S. Wentworth Chgo IL 60639

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

Defendants: D-E-F-G-H-I

D. Defendant P.O. Anthony Flowers

Title: Chicago Police Officer

Place of Employment 5101 S. Wentworth Chgo, IL 60629

E. Defendant Frank Casale

Title: Chicago Police Officer

Place of Employment 5101 S. Wentworth Chgo, IL 60629

F. Defendant City of Chicago Police Department

Title Commander

Place of Employment 5101 S. Wentworth Chgo IL 60629

G. Defendant State Police Department

Title Ill. State Police Commander

Place of Employment 1941 W Roosevelt Rd Chgo IL 60608

H. Defendant Warden Western Illinois Corrections

Title - Warden/Director / NAME: Boyd

Place - P.O. Box 1000 Mt. Sterling IL 62253

I. Defendant Clayton Work Comp

Title nurse

Place

### III. Exhaustion of Administrative Remedies

You are required to exhaust all your available administrative remedies before bringing an action in federal court.

A. Is there a grievance procedure available at your institution?

YES ( ) NO (☒) If there is no grievance procedure, skip to F.

B. Have you filed a grievance concerning the facts in this complaint?

YES ( ) NO (☒)

C. If your answer is YES:

1. What steps did you take?

N/A

2. What was the result?

N/A

3. If the grievance was not resolved to your satisfaction, did you appeal?

What was the result (if there was no procedure for appeal, so state.)

N/A

D. If your answer is NO, explain why not:

N/A

E. Is the grievance procedure now completed? YES ( ) NO (✓)

F. If there is no grievance procedure in the institution, did you complain to authorities? YES ( ) NO (✓)

G. If your answer is YES:

1. What steps did you take?

N/A

2. What was the result?

N/A

H. If your answer is NO, explain why not:

This matter concerns DNA that was  
Used To falsely put criminal cases on me

IV. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court (including the Central and Southern Districts of Illinois):

- A. Name of case and docket number: N/A
- B. Approximate date of filing lawsuit: N/A
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: N/A
- D. List all defendants: N/A
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): N/A
- F. Name of judge to whom case was assigned: N/A
- G. Basic claim made: N/A
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A

H. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

# **V. Statement of Claim:**

State here as briefly as possible the facts of your case. Describe precisely how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

IN 2002 the plaintiff Bernard Middleton was sentenced to a guilty plea on Retail theft Charge and sent to Western Illinois Correctional Center, his release date 12-06-02. ON 12-03-02, I was informed by the Facility That it was mandatory to give blood sample DNA and directed to go to Clayton work comp to give blood sample by the warden. I violated my parole ON ~~4-15-03~~ 4-15-03. For a Retail theft Charge ON 4-30-03 The Chicago police and Detectives came to the Cook County Jail, Det Patrick Sullivan #20258 Det Anthony Berberig #20110 Took me to 1819 W Pershing Rd For a live up said some women in the Englewood Area got Sexually Assaulted and want to talk to me. at that police station P.O. Anthony Flowers #11981 P.O. Frank Casale #8976 and Det Edward Forley #20643 all interrogated me Never read my right Just put me in a live up and for three days this went on, they said one lady picked me out of a lineup, one lady they had was dead already they tried to put that Sexual assault on me but the DNA didnt match but I was charged

anyway with her murder, I'm IN Jail right  
 Now For Three Sexual Assault Charges and a murder  
 Charge that I know nothing about, all my Criminal  
 history is For Retail Theft, 48 Arrest on Retail Theft  
 1 possession of Heroin and 1 Aggravated Battery in 1987, I  
 wasn't in prison under the Sex Offense Law where I had to  
 Take DNA by a Court Judge, but I was deceived in giving  
 a Searchless illegal blood sample and was told by the  
 Prison warden if I did not I would never be able to leave prison.  
 The Prison I gave the blood sample to UNVoluntarily and  
 illegal. I never signed any forms or nothing to that effect  
 but this action has resulted in the Chicago police Dept.  
 and Officials to literally put rape or Sexual Assault  
 cases on me. The Det Patrick Sullivan and Det Edward Farley  
 had some men to walk up to me Force my mouth open and do  
 what they said was a Swab test, the results were Negative on  
 The dead lady but I was still charged with the case.  
 The DNA Test that was performed at the Clayton Work Camp  
 was mixed up with some other inmates because none  
 of these charges belong to me, I never committed rape or  
 Sexual Assault, but the wrongful Searchless DNA without  
 consent is Against my Rights and I feel that I am being  
 Taken advantage of because I am a poor person  
 Just like that Swab Test come back Negative, but even then  
 I didn't give permission for that test  
 These defendants just take advantage of poor people they  
 took a video of me without me knowing anything about  
 the taping and never read any Rights at all to me, Sir,  
 I have little Education and No Understanding of the  
 Law and I need somebody to help me, Every Sex Crime in the  
 Englewood area unsolved the City of Chicago police Department  
 are trying to convert to my Unconsented DNA that was taken  
 illegally in the first place, at the prison and I know  
 for a fact The Test that was done on me is not the same blood  
 From my body. These police and State police are making  
 a big mistake, but what can I say or do and I have no money or any  
 Legal advice or real knowledge of the Law please help me and  
 God Bless you.



**VI. Relief:**

State briefly exactly what you want the court to do for you. Make no legal arguments.  
Cite no cases or statutes.

please I want this Honorable Court to call all these  
plaintiffs in Court and we look them in the eye and let them  
tell the truth, how they are doing me. This is no Justice  
I want this Honorable Court to look into this serious matter  
and have the DNA Expunged From the State's data  
base and have this entire matter investigated to the fullest  
extent of the Law and Constitution as to whatever  
rights I may have as a citizen and as a man.  
This I forever pray in Jesus Name. 30,000,000 in damages  
CERTIFICATION

By signing this Complaint, I certify that the facts stated in this  
Complaint are true to the best of my knowledge, information  
and belief. I understand that if this certification is not correct,  
I may be subject to sanctions by the Court.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Signature of plaintiff or plaintiffs)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(I.D. Number)

\_\_\_\_\_  
(Address)